

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Timothy P. Tully, Joshua I. Dubnau, Michael Davis, Jan Mous and
Ulrich Certa

Application No.: 09/523,066

Group Art Unit: 1643

Filed: March 10, 2000

For: GENE CHIP TECHNOLOGY FOR DETERMINING MEMORY GENES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>7-10-00</u>	<u>Sandra Vautour</u>
Date	Signature
<u>Sandra Vautour</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 12, 2000, the following documents and fees are being submitted for filing in the captioned application:

- [X] **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)
- [X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)
- [X] **SURCHARGE** - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)
- [X] **SEQUENCE LISTING** - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)



☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to [].
The appropriate fee of \$[] is included in the enclosed check.

☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.**

(Separate transmittal letter and postcard required)

☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [].

☐ Is enclosed herewith.
(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1006.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Helen Lee
Helen Lee
Registration No.: 39,270
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: July 10, 2000



#3

FORMALITIES LETTER



OC00000005111613

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/523,066	03/10/2000	Timothy P. Tully	1314.1058-0001

Richard W Wagner Esq
Hamilton Brook Smith & Reynolds PC
Two Militia Drive
Lexington, MA 02421-4799

Date Mailed: 05/12/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$186.
 - \$108 for 6 total claims over 20.
 - \$78 for 1 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1006.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

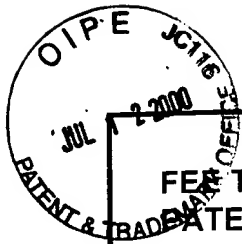
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/14/2000 SDENR081 00000035 09323066
690.00 OF
75.00 OF
108.00 OF
130.00 OF
01 FC:101
02 FC:102
03 FC:103
04 FC:105

HAMILTON BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number		1314.1058-001	
		Application Number		09/523,066	
		First Named Inventor		Timothy P. Tully	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small>	26 - 20* =	6	x \$ 18 =	\$ 108
	INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (i))</small>	4 - 3** =	1	x \$ 78 =	\$ 78
	MULTIPLE DEPENDENT CLAIMS (if applicable) <small>(37 CFR 1.16(d))</small>			+ \$ 260 =	\$
				BASIC FEE <small>(37 CFR 1.16(a) or (h))</small>	\$ 690
				Total of above Calculations =	\$ 876
	Reduction by 50% for filing by small entity <small>(37 CFR 1.9, 1.27, 1.28)</small> =			\$	
				TOTAL =	\$ 876
	Surcharge - Late Filing of Declaration or Filing Fees <small>(37 C.F.R. 1.16(e))</small> =			\$ 130	
	Petition for Extension of Time Fee <small>(37 C.F.R. 1.17)</small> =			\$	
				Assignment Recordation Fee = <small>(only when filed with application)</small>	\$
				TOTAL =	\$ 1006
<p>* Reissue claims in excess of 20 and over original patent</p> <p>** Reissue independent claims over original patent</p>					
<p>1. Small entity status:</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1006.00. <input type="checkbox"/> Please charge \$[] to Deposit Account No. 08-0380.</p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature		<i>Helen Lee</i>		Date	<i>July 10, 2000</i>
Submitted by Typed or Printed Name		Helen Lee		Reg. Number	39,270



HAMILTON BROOK, SMITH & REYNOLDS, P.C.

FEES TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number 1314.1058-001
Application Number 09/523,066
First Named Inventor Timothy P. Tully

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	26 - 20* =	6	x \$ 18 =	\$ 108
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	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 690
				Total of above Calculations =	\$ 876
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
				TOTAL =	\$ 876
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 1006

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1006.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature

Helen Lee

Date

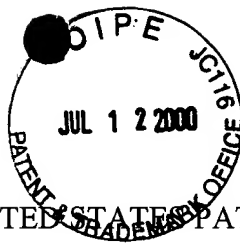
July 10, 2000

Submitted by
Typed or Printed Name

Helen Lee

Reg. Number

39,270



0030 WD GA 1636

PATENT APPLICATION
Docket No.: 1314.1058-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy P. Tully, Joshua I. Dubnau, Michael Davis, Jan Mous and
Ulrich Certa

Serial No.: 09/523,066

Group Art Unit: 1643

JUL 18 2000

Filed: March 10, 2000

TECH CENTER 1600/2900

For: GENE CHIP TECHNOLOGY FOR DETERMINING MEMORY GENES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>7-10-00</u>	<u>Sandra Vautour</u>
Date	Signature
<u>Sandra Vautour</u>	
Typed or printed name of person signing certificate	

#6/1/00
10/21/00

TRANSMITTAL OF SEQUENCE LISTING AND
PRELIMINARY AMENDMENT

RECEIVED

JUL 20 2000

TECH CENTER 1600/2900

Box Sequence

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Although a Notice to Comply with Sequence Rules 37 C.F.R. §§1.821-1.825 has not been received in our offices, transmitted herewith is a copy of the "Sequence Listing" (sheet 1/1) in paper form for the above-identified patent application as required by 37 C.F.R. §1.821(c) and a copy of the "Sequence Listing" in computer readable form as required by 37 C.F.R. §1.821(e). As required by 37 C.F.R. §1.821(f), Applicants' Attorney hereby states that the content of the "Sequence Listing" in paper form and the computer readable form of the "Sequence Listing" are the same and, as required by 37 C.F.R. §1.821(g), also states that the submission includes no new matter.

09/523,066



-2-

RECEIVED

AUG 21 2000

TECH CENTER 1600/2900

Applicants' Attorney submits the following amendment to comply with 37 C.F.R.

§1.825:

In the Specification

Please insert the attached "Sequence Listing" (sheet 1/1), and comprising SEQ ID NOS: 1-2, into the above-referenced application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Helen Lee

Registration No. 39,270

Telephone (781) 861-6240

Facsimile (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: July 12, 2000